

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**In re:**

**MISSION BAY MULTISPORTS, INC.,**

**Debtor.**

**Chapter 7**

**Case No. 09-00029**

**Hon. A. Benjamin Goldgar**

**COVER SHEET FOR APPLICATION FOR PROFESSIONAL COMPENSATION**

Name of Applicant:	Shaw Gussis Fishman Glantz Wolfson & Towbin			
Authorized to Provide Professional Services to:	Richard M. Fogel, Trustee			
Date of Order Authorizing Employment:	February 2, 2009, effective as of January 9, 2009			
Period for Which Compensation is Sought:	June 22, 2011 – October 31, 2011			
Amount of Fees Sought:	\$420.00			
Amount of Expense Reimbursement Sought:	\$0.00			
This is a(n):                      Interim Application <input checked="" type="checkbox"/> Final Application				
If this is <u>not</u> the first application filed herein by this professional, disclose as to all prior fee applications:				
Date Filed	Period Covered	Total Requested (Fees and Expenses)	Total Allowed	Any Amount Ordered Withheld
06/22/11	01/12/09 – 04/21/10	\$5,424.18	\$5,424.18	\$0.00

The aggregate amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein, including retainers and interim payments is \$5,424.18

Applicant:                                      Shaw Gussis Fishman Glantz Wolfson & Towbin

Dated: October 31, 2011

By: /s/ Richard M. Fogel  
One of the Trustee's attorneys

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 7
	)	Case No. 09-00029
MISSION BAY MULTISPORTS, INC.,	)	Hon. A. Benjamin Goldgar
	)	
	)	
Debtor.	)	

**FINAL APPLICATION OF SHAW GUSSIS FOR ALLOWANCE AND PAYMENT OF  
COMPENSATION FOR MISSION BAY MULTISPORTS, INC.**

Richard M. Fogel and the law firm of Shaw Gussis Fishman Glantz Wolfson & Towbin LLC (collectively, “Shaw Gussis”) applies to this Court (the “Application”) pursuant to 11 U.S.C. § 330 and Fed. R. Bankr. P. 2002(a)(6), 2002(i), 2016(a) and 9007 for the allowance and payment of 420.00 in compensation for 1.0 hours of professional services rendered on behalf of the estate of Mission Bay Multisports, Inc. (“Multisports”) during the period of June 22, 2011 to October 31, 2011 (the “Application Period”). In support of this Application, Shaw Gussis respectfully represents as follows:

**BACKGROUND**

1. On November 7, 2007, Mission Bay Ski & Bike, Inc. (“Ski & Bike”) filed a voluntary petition for relief under chapter 11 of the Bankruptcy Code, thereby commencing the above-entitled bankruptcy case.

2. On December 8, 2008, the Ski & Bike case was converted to a case under chapter 7 of the Bankruptcy Code and Richard M. Fogel was appointed as the chapter 7 trustee (the “Trustee”) for the estate.

3. On January 2, 2009, Multisports filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code. Shortly thereafter, the interim trustee for the Multisports estate resigned and the Trustee was appointed to administer the estate.

4. On January 28, 2009, an order was entered granting the Trustee's motion for joint administration of the Ski & Bike and Multisports cases.

5. On January 28, 2009, an order was entered granting the Trustee's application for authority to employ Shaw Gussis as the attorney for the Trustee, effective as of January 9, 2009.

6. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2).

**STATUS OF CASE AND SERVICES RENDERED BY SHAW GUSSIS**

7. The administration of the Multisports estate has been completed. The Trustee is currently holding the sum of \$40,860.84 in the Multisports estate account.

8. On June 22, 2011, Shaw Gussis filed an application for interim compensation and reimbursement of expenses for the period January 12, 2009 through April 10, 2010 seeking the sums of \$5,196.50 for fees and \$228.18 for expenses. On July 13, 2011, the Court entered an order granting the interim application (the "Interim Award").

9. During the current Application Period, Shaw Gussis' attorneys and paraprofessionals have spent 1.0 hours providing professional services on behalf of the Trustee in connection with his administration of the Multisports estate. All of the services for which compensation is requested were services which, in Shaw Gussis' billing judgment, were actual and necessary and were rendered after due consideration of the expected cost and anticipated benefit of such services.

10. The services rendered relate to:

- A. Employment/Compensation of Professionals, including the preparation of applications, notices, orders and cover sheets to compensate the Trustee's professionals. Shaw Gussis spent 1.0 hour on these services and seeks \$420.00 for these matters.

11. All of the services for which compensation is requested were rendered in connection with the Case, and related contested matters, and are set forth in detail in the attached Exhibit A. All of the time described in the exhibit represents the actual amount of time spent by attorneys of Shaw Gussis who rendered the described services. In certain instances, the time reflected in the exhibit has been reduced in an effort by Shaw Gussis to eliminate excessive, duplicative or, in hindsight, unnecessary or unproductive services. .

**SUMMARY OF SERVICES RENDERED BY PROFESSIONAL**

12. The lodestar amount of compensation sought with respect to the services set forth above is \$420.00. In addition, and in accordance with Local Rule 5082-1(B)(1), the total compensation sought for each professional with respect to the aforementioned services can be summarized as follows:

**PROFESSIONAL RATE CHART**

<i>Professional</i>	<i>Position</i>	<i>Rate</i>	<i>Hours</i>	<i>Amount</i>
Richard M. Fogel	Of Counsel	\$420	1.0	\$420.00
<b>Total:</b>			<b>1.0</b>	<b>\$420.00</b>

13. The hourly rates charged by Shaw Gussis with respect to the Case compare favorably with the rates charged by other Chicago metropolitan firms having attorneys and paralegals with similar experience and expertise as the Shaw Gussis attorneys and paralegals providing services to the Trustee. Further, the amount of time spent by Shaw Gussis with respect to the Case is reasonable given the difficulty of the issues presented, the time constraints

imposed by the circumstances, the amounts at stake and the sophistication and experience of opposing counsel.

14. Given the criteria set forth in 11 U.S.C. § 330, namely (i) the nature, extent and value of the services, (ii) the time spent, (iii) the rates charged for such services, (iv) the performance of the services within a reasonable amount of time commensurate with the complexity, importance and the nature of the problem, issue or task addressed, and (v) the reasonableness of the services based on the compensation charged by comparably skilled practitioners in other bankruptcy and non-bankruptcy matters, Shaw Gussis respectfully submits that \$420.00 represents a fair and reasonable amount for the allowance of compensation for the services rendered during the Application Period.

#### **COMPLIANCE WITH SECTION 504**

15. Other than as provided for and allowed by 11 U.S.C. § 504, there is no agreement between Shaw Gussis and any other firm, person or entity for the sharing or division of any compensation paid or payable to Shaw Gussis.

#### **NOTICE**

16. Notice and a copy of this Application have been provided to the Office of the United States Trustee, all counsel of record and all scheduled creditors and those other creditors that have filed claims against the Multisports estate. Shaw Gussis respectfully requests that the Court consider such notice to be adequate under the circumstances.

WHEREFORE, Shaw Gussis requests the entry of an order, substantially in the form attached hereto that:

- (a) allows Shaw Gussis \$420.00 in compensation for the Application Period;
- (b) authorizes and directs the Trustee to pay Shaw Gussis the sum of \$420.00 for the allowance from available estate funds;

- (c) approves the Interim Award as a final award;
  - (d) waives other and further notice of this hearing with respect to this Application;
- and
- (e) provides Shaw Gussis with such additional relief as may be appropriate under the circumstances.

Respectfully submitted,

Shaw Gussis Fishman Glantz Wolfson  
& Towbin LLC, counsel to the Trustee

Dated: October 31, 2011

By: /s/ Richard M. Fogel  
One of the Trustee's attorneys

Richard M. Fogel (#3127114)  
Shaw Gussis Fishman Glantz  
Wolfson & Towbin LLC  
321 North Clark Street, Suite 800  
Chicago, Illinois 60654  
Telephone: (312) 541-0151  
Facsimile: (312) 980-3888

**SHAW GUSSIS FISHMAN GLANTZ WOLFSON & TOWBIN LLC**

321 North Clark Street, Suite 800  
Chicago, IL 60654  
(312) 541-0151

Fed Tax ID: 36-3844420

Invoice 4463  
October 31, 2011

Richard Fogel, Trustee for Mission Bay Multisports, Inc.  
c/o Shaw Gussis Fishman Glantz Wolfson & Towbin LLC  
321 N. Clark St., #800  
Chicago, IL 60610

ID: 7329-000 - RF

Re: Represent Chapter 7 Trustee (RF 7329 FOGEL, R/TRUSTEE/MULTISPORTS)

For Services Rendered Through 10/31/2011

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**Please include Invoice Number with Payment**

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Previous Balance		5,424.18
Payments		-5,424.18
Balance Forward		0.00
Current Fees	420.00	
Total Current Charges		420.00
<b>Total Due</b>		<b>420.00</b>

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Chicago, IL 60654  
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Fed Tax ID: 36-3844420

Richard Fogel, Trustee for Mission Bay Multisports, Inc.

October 31, 2011

I.D. 7329-000 - RF

Invoice 4463

Re: Represent Chapter 7 Trustee (RF 7329 FOGEL, R/TRUSTEE/MULTISPORTS)

			<b>Fees</b>		
<b>Date</b>	<b>Atty</b>	<b>Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
<b><u>Case Administration</u></b>					
07/13/11	RF	To court for hearings on applications for interim compensation	0.40	420.00	168.00
<b>Case Administration Totals</b>			<b>0.40</b>		<b>168.00</b>
<b><u>Employment/Compensation of Professionals</u></b>					
06/22/11	RF	Prepare notice, order and cover sheet for Lasko interim fee application	0.20	420.00	84.00
10/31/11	RF	Prepare final fee applications	0.40	420.00	168.00
<b>Employment/Compensation of</b>			<b>0.60</b>		<b>252.00</b>
<b>Total Fees</b>			<b>1.00</b>		<b>420.00</b>
<b>Total Fees and Disbursements</b>					<b>420.00</b>
<b>Total Current Charges</b>					<b>420.00</b>

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Fed Tax ID: 36-3844420

Richard Fogel, Trustee for Mission Bay Multisports, Inc.

October 31, 2011

I.D. 7329-000 - RF

Invoice 4463

Re: Represent Chapter 7 Trustee (RF 7329 FOGEL, R/TRUSTEE/MULTISPORTS)

**Fee Recap**

		<b>Hours</b>	<b>Rate/Hour</b>	<b>Amount</b>
Richard M. Fogel	Of-Counsel	1.00	420.00	420.00
	<b>Totals</b>	<b>1.00</b>		<b>420.00</b>

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Fed Tax ID: 36-3844420

Richard Fogel, Trustee for Mission Bay Multisports, Inc.

October 31, 2011

I.D. 7329-000 - RF

Invoice 4463

Re: Represent Chapter 7 Trustee (RF 7329 FOGEL, R/TRUSTEE/MULTISPORTS)

**Fee Recap by Task Code Description**

<b>Task Code</b>	<b>Hours</b>	<b>Amount</b>
Case Administration	0.40	168.00
Employment/Compensation of Professionals	0.60	252.00
<b>Total Fees</b>	<b>1.00</b>	<b>420.00</b>